

1 2 3 4 5 6	KEKER & VAN NEST, LLP ELLIOT R. PETERS - #158708 ETHAN A. BALOGH - #172224 DANIEL PURCELL - #191424 STEVEN P. RAGLAND - #221076 710 Sansome Street San Francisco, CA 94111-1704 Telephone: (415) 391-5400 Facsimile: (415) 397-7188 Attorneys for Plaintiff	
7	JOHN ŤENNISON	
8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
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11	JOHN TENNISON,	Case No. C 04-00574 CW (EMC)
12	Plaintiff,	EXHIBIT 23 TO DECLARATION OF
13	v.	DANIEL E. PURCELL IN SUPPORT OF JOHN TENNISON'S OPPOSITION TO
14	CITY AND COUNTY OF SAN FRANCISCO; SAN FRANCISCO	MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT ON
15	POLICE DEPARTMENT; PRENTICE EARL SANDERS; NAPOLEON HENDRIX; and	MUNICIPAL LIABILITY
16	GEORGE BUTTERWORTH,	Date: October 28, 2005 Time: 10:00 a.m.
17	Defendants.	Courtroom: 2 Judge: The Hon. Claudia Wilken
18		Judge. The Hon. Chada Wilken
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                      IN THE UNITED STATES DISTRICT COURT
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                   FOR THE NORTHERN DISTRICT OF CALIFORNIA
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    JOHN TENNISON,
                                                     No. C 04-00574 CW
         v.
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    C&C OF SAN FRANCISCO,
                                                     No. C-04-01643 CW
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    GOFF
                                                     MINUTE ORDER AND
11
    C&c OF SAN FRANCICO.
                                                     CASE MANAGEMENT
                                                     ORDER
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                                      Reporter: Starr Wilson, pro tem
    Clerk: Sheilah Cahill
    Plaintiff Attorney: Ethan Balogh; Daniel Purcell; John Houston
15
    Defendant Attorney: James Quadra; Evan Ackiron
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         A case management conference was held on: 8/27/04.
    Management Statement and Proposed Order filed by the parties is
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    hereby adopted by the Court as the Case Management Order for the
    case, except as may be noted below.
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   The case is hereby referred to the following ADR process:
Non-binding Arbitration: ( ) Early Neutral Evaluation: ( X )
Court-connected mediation: ( ) Private mediation: ( )
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    Magistrate Judge settlement conference: ( )
    ADR session to be held by:
                                                                         (11/27/04)
21
    (or as soon thereafter as is convenient to the mediator's schedule)
22
    Deadline to add additional parties or claims:
                                                                         (08/27/04)
    Date of next case management conference:
                                                                         (04/15/05)
23
    Completion of Fact Discovery re liability:
                                                                   (02/28/05)
    Disclosure of identities and reports of expert witnesses: [05/02/05] Completion of Expert Discovery re liability: (06/02/05)
24
25
    All case-dispositive motions to be heard at 10:00 AM
26
         on or before:
                                                                         lnot set
    Final Pretrial Conference at 1:30 P.M. on:
                                                                         (not set)
27
   A day Trial will begin at 8:30 A.M. on:
   Additional Matters: Cases consolidated. Monell discovery delayed
    until February 2005; cutoff 6/2/05. Defendant Butterworth may make
   early "absolute immunity" motion and notice it for 10/22/04; plaintiff can make Rule 56(f) response. Parties to file cross-
   motions re liability and immunity on six week schedule and notice
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for hearing on 4/15/05 at 10:00 a.m. Plt. to file opening brief re

United States District Court

For the Northern District of California

liability; dft. to file cross-mo. re non-liability/qualified or absolute immunity two weeks later; plt. reply/oppo. due one week thereafter; dft. surreply due one week later. Court stays personal finance discovery until further notice unless agreed upon or counsel may apply to the Court.

IT IS SO ORDERED.

Dated: 9/3/04

/s/ CLAUDIA WILKEN CLAUDIA WILKEN United States District Judge

Copies to: Chambers; ADR

For the Northern District of California

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NOTICE

Criminal Law and Motion calend

Criminal Law and Motion calendar is conducted on Mondays at 2:00 p.m.(in custody) and 2:30 p.m. (not in custody). Civil Law and Motion calendar is conducted on Fridays at 10:00 a.m. Case Management Conferences and Pretrial Conferences are conducted on Fridays at 1:30 p.m. Order of call is determined by the Court. Counsel need not reserve a hearing date for civil motions; however, counsel are advised to check the legal newspapers or the Court's website at www.cand.uscourts.gov for unavailable dates.

Motions for Summary Judgment: All issues shall be contained within one motion and shall conform with Civil L.R. 7-2. Separate statements of undisputed facts in support of or in opposition to motions for summary judgment will not be considered by the Court. (See Civil Local Rule 56-2(a)). All briefing on motions for summary judgment must be included in the memoranda of points and authorities in support of, opposition to, or reply to the motion, and must comply with the page limits of Civil Local Rule 7-4. memoranda should include a statement of facts supported by citations to the declarations filed with respect to the motion. Cross or counter-motions shall be contained within the opposition to any motion for summary judgment and shall conform with Civil L.R. 7-3. The Court may, sua sponte or pursuant to a motion under Civil L.R. 6-3, reschedule the hearing so as to give a moving party time to file a surreply to the cross or counter-motion.

All DISCOVERY MOTIONS are referred to a Magistrate Judge to be heard and considered at the convenience of his/her calendar. All such matters shall be noticed by the moving party for hearing on the assigned Magistrate Judge's regular law and motion calendar, or pursuant to that Judge's procedures.

In all "E-Filing" cases when filing papers in connection with any motion for determination by the judge, the parties shall, in addition to filing papers electronically, lodge with chambers a printed copy of the papers by the close of the next court day following the day the papers are filed electronically. These printed copies shall be marked "Chambers Copy" and shall be submitted to the Clerk's Office, in an envelope clearly marked with the judge's name, case number and "E-Filing Chambers Copy." Parties shall not file a paper copy of any document with the Clerk's Office that has already been filed electronically.

(rev. 6/21/04)